

# **LEGAL SERVICES PROGRAMS IN ALABAMA**

## **Alabama State Plan - 1998**

### **Introduction**

In 1995, in response to LSC's call for state-based planning initiatives, Alabama's three LSC-funded field programs - Legal Services Corporation of Alabama (LSCA), Legal Services of Metro Birmingham (LSMB), and Legal Services Corporation of North Central Alabama (LSNCA) - held a series of meetings to discuss provision of a full range of free legal services to Alabama's poor. New ideas for more efficient and effective use of increasingly scarce resources were explored, and collaborative efforts, which had been informal in nature up to that point in time, were formalized between the three programs to better assure access to legal services on a statewide basis. Participants in these meetings included program Directors and staff, attorney and client eligible Board members, and members of the private bar and state judiciary. The resulting "Alabama State Plan: 1996 and Beyond,"<sup>@</sup> was submitted as requested by LSC in November, 1995.

LSCA, LSNCA and LSMB moved quickly to implement the plans outlined in this initial report as will be discussed more specifically below in response to the seven questions posed by LSC Program Letter 98-1. Additionally, in May, 1996, at the invitation of the Alabama State Bar, distinguished private attorneys and judges from around the state came together in Montgomery, Alabama, at the State Bar headquarters for a day long meeting on the future of free civil legal services in Alabama. Included on the program agenda were the three program Directors who briefed the attendees on the effects of budget cuts on the Alabama LSC-funded programs, John Arango of Algodones Associates who provided an historical overview of the Legal Services movement, and Guy Lescault of NLADA and SPAN who discussed other state planning initiatives taking place around the country. Subcommittees were formed that day to discuss possible additional funding sources for legal services programs and to formulate plans to increase pro bono services. Subcommittee reports were prepared and later presented to the Alabama State Bar Committee on Access to Legal Services (Committee) for its consideration and recommendations to the Alabama State Bar Board of Bar Commissioners (Commissioners).

In July, 1996 the Chairman of the Committee presented a several-point plan to the Commissioners. Included in these recommendations was a request that the Alabama State Bar create a statewide commission comprised of individuals representing all groups interested in access to justice. This commission would be responsible for overall state planning by first

studying current justice delivery systems for the poor in Alabama and then creating and implementing plans for improving access generally. The Commissioners voted to table the Committee's recommendations.

On April 7, 1998 then Alabama State Bar President, S. Dagnal Rowe, appointed a President's "Task Force on Legal Services Funding" (Task Force), whose charge is to determine alternative sources of funding for Legal Services programs in Alabama and to educate the private bar and the public about the need for full access to justice for Alabama's poor. This Task Force includes many former Bar Presidents, members of the judiciary, distinguished private attorneys, and representatives from the legal services community.

The Task Force is chaired by two former state Bar Presidents, Ben H. Harris, Jr., of Mobile, and E.C. "Sonny" Hornsby of Tallahassee, who has also served a term as Chief Justice of the Alabama Supreme Court. Carol Sue Nelson, a prominent, active member of both the Alabama State Bar and the Birmingham Bar Association, is Vice Chair. In addition to Mr. Harris and Mr. Hornsby, other Alabama State Bar Presidents on the Commission include John Owens of Tuscaloosa.

From the legal services community, Birmingham attorney, LaVeeda Morgan Battle, a member of the LSC Board of Directors, serves on the Task Force, as does Malcolm Newman of Dothan, a member of the LSCA Board of Directors, the three program Directors, and Al Vreeland, a respected attorney from Tuscaloosa and a former member of the LSCA Board of Directors. This Task Force is chaired by two former state Bar Presidents, Ben H. Harris, Jr., of Mobile and E.C. "Sonny" Hornsby of Tallahassee, who has also served as Chief Justice of the Alabama Supreme Court. Carol Sue Nelson, a prominent, active member of both the Alabama State Bar and the Birmingham Bar Association, is Vice Chair.

Several well known members of the judiciary are on the Task Force. Former Chief Justice of the Alabama Supreme Court, C.C. "Bo" Torbert, who is now in private practice in Montgomery, is a Task Force member as is Judge Sharon Yates, Alabama Court of Civil Appeals, and Judge Gary Pate, State Circuit Court in Birmingham. Judge Dominick Matranga, a recently retired State Circuit Court Judge in Mobile serves on the Commission, as does Judge Inge Johnson, now a State Circuit Court Presiding Judge from Tuscumbia who has recently been nominated by President Clinton and confirmed by the United States Senate as a federal District Court Judge for the Northern District of Alabama.

Well known members of both the plaintiff (Jere Beasley of Montgomery, William L.

Utsey of Butler, and Fred D. Gray, Jr., of Tuskegee) and defense (Cleophus Thomas, Jr., of Anniston) bars are included, as are former members of the Alabama State Legislature (Richard S. Manley of Demopolis). A copy of the President's Order establishing the Task Force, as well as the list of its members, is appended to the hard copies of this report.

The Task Force held its initial meeting during the July 1998 Alabama State Bar Convention. It was decided during that meeting that additional information would be gathered for Task Force members and that a report would be presented to the Commissioners in the fall. Further meetings of the Task Force were not scheduled.

It is hoped by the program Directors that this Task Force, or some subcommittee thereof or other official State Bar commission, will eventually address each of the areas touched upon in Program Letter 98-1. Regardless, the program Directors will continue to ask the Alabama State Bar for its support and assistance in addressing the critical issues of access to justice for low income Alabamians, and to establish a position on its staff to serve as coordinator for statewide planning efforts.

## **1. Intake and Delivery of Advice and Referral Services**

### **A. Strengths and Weaknesses of the Current Approach.**

Intake. Intake in the three programs is handled locally by designated intake personnel. Both in-office and telephone intakes are available in each program. Client data and other intake information is recorded and managed by computer in all offices. All three programs now use a version of Kemp's Clients for Windows case management software.

In counties without a Legal Services office, advocates regularly "circuit ride" to designated locations within those areas to conduct intake. Intake sites vary from county to county, but include, among others, courthouses, private attorney offices, and local social service agency offices. Additionally, LSCA has implemented 1-800 toll free telephone lines throughout its 60 county service area to make services available to clients living in remote areas of the state.

Through local colleges and other resources, each program is able to offer intake services to non-English speaking clients, as well as to hearing or sight impaired persons. LSCA employs a paralegal who is fluent in Spanish and is available to advocates throughout Alabama for translation services as needed.

The program Directors continue to evaluate the effectiveness of efforts to make services available to clients living in locations distant from staffed offices. PAI panel attorneys are often used to provide services in outlying areas, as are pro bono attorneys through the Alabama State

Bar Volunteer Lawyers Program and other local pro bono projects. However, intake and delivery of services in Alabama's most rural areas continue to be problematic due to poor, or non-existent public transportation systems. As a result, these outlying areas tend to be less served than the more urban counties. To improve this situation, LSCA is investigating the use of a statewide hotline (toll free) and centralized intake system through which clients could receive information, advice or brief services in connection with their particular legal problem. Also, the program Directors are presently investigating the use of a website (individually, jointly or through the existing Alabama State Bar website) through which rural Alabamians could better access services and self-help information on the Internet.

Advice and brief service. Intake personnel in each office are familiar with the particular expertise of advocates within their offices and can therefore direct the clients during in-office intakes to the advocate best qualified to offer immediate advice or brief service, where appropriate. Telephone intakes can be directed to the best qualified advocate as well in a modified "hotline" type service, where advocates are available to answer questions immediately or to call the potential client back during specified time periods that same day.

Advocates in all three programs have direct e-mail capabilities for exchanging information about cases in an expeditious manner. Further, advocates from each program regularly meet together in "substantive advocacy teams" (SATs) to share advocacy strategies and are available to each other for consultation. The SATs have produced fact sheets and updated practice manuals in areas of law commonly needed by clients. Such materials enable advocates to provide quality advice or brief service regardless of their particular specialty.

The three programs need to continue efforts to better use technology for rapid exchange of information among advocates. Additionally, more effort should be made to produce high quality self help information for clients and to make this information readily available to the public.

Referrals. Referrals of eligible clients between the three state programs is handled in accordance with an agreed upon referral process. Calls from clients in other service areas are evaluated by the program receiving the call for eligibility and jurisdiction. If necessary, the client can then be referred to another program. This procedure provides truly statewide intake and referral among the three programs. Additionally, all three programs make referrals to the Alabama State Bar Volunteer Lawyers Program (VLP) or to various pro bono projects sponsored by local bar associations.

Individuals with service needs in areas of practice restricted or prohibited to program advocates, or otherwise ineligible persons, are made to the private bar, the Alabama State Bar Lawyer Referral Service or other lawyer referral services offered through local bar associations.

LSCA and LSMB maintain lists of private attorneys through their PAI programs who serve as additional resources for assisting eligible clients.

Program offices maintain lists of social service providers to whom referrals can be made by advocates as well as intake personnel. However, a statewide referral directory is not available to advocates.

**B. Goals to Strengthen and Expand Services to Clients.**

- \* The three programs should create a statewide directory of social and legal service agencies available to clients. (Project completion: 9 months)

- \* The three programs should study other states' projects on expanding services to rural areas and consider ways to increase access for citizens living in counties without staffed Legal Services offices. (Project completion: ongoing)

- \* The three programs should study other legal services projects' use of technology, hotlines, and centralized intake systems and consider ways to offer advice and brief services to clients more expeditiously, thus freeing advocates to perform more in-depth casework as appropriate. (Project completion: ongoing)

**2. Utilization of Technology.**

**A. Strengths and Weaknesses of the Current Approach.**

All three programs have computerized case management and financial systems. Each program uses a version of Kemp's Clients for Windows software. LSCA and LSMB are presently upgrading to Kemp's Clients for Windows 98-1. All advocates and staff have computers at their desks and direct access to the Internet and CD Rom libraries. Access is also available to computerized research services such as WestLaw and Lexis. All offices and many advocates have individual e-mail addresses. SAT members and advocates throughout the state are thus linked together for fast and efficient sharing of documents, innovative advocacy strategies, and legal research materials. Voice mail capacities exist in offices of all three programs, but their use varies.

LSMB currently has its own Web page and may be included as a direct link on the planned Birmingham Bar Association website. LSCA is currently working with staff at the Alabama State Bar to establish a Legal Services page at the Alabama State Bar website. LSNCA

has produced videos for use in client interviews.

Although each program is well-equipped with regards to current technology, a formal statewide plan for best use of this technology in collaborative efforts does not presently exist. Statewide coordination for upgrades of technology also does not exist due in large part to financial constraints and variations in emphasis placed by the three program Boards upon improvements to technological capacities.

**B. Goals to Strengthen and Expand Services to Clients.**

\* The three programs will work together to formulate a statewide technology plan. (Project completion: one year)

\* LSCA and LSNCA will investigate having individual websites for each program, a joint Legal Services in Alabama website, and/or a page or link to the Alabama State Bar website. (Project completion: 6 months)

**3. INCREASED ACCESS - PREVENTIVE AND SELF HELP INFORMATION**

**A. Strengths and Weaknesses of the Current Approach.**

All three programs have the capacity to conduct community education programs in their service areas upon request. LSNCA regularly publishes informative articles on clients rights in "Old Huntsville Magazine," a popular publication in its service area. Additionally, program advocates meet with local client councils and the State Clients Council, making presentations on legal issues of concern to client communities. Materials such as fact sheets or brief memoranda are distributed at these meetings as well.

SATs, composed of advocates from each program, meet regularly to discuss advocacy strategies, share briefs and other legal documents, and produce materials for use throughout the state. Presently, the three programs have teams consisting of program experts in the areas of public benefits, domestic violence, housing, and consumer law. These teams have updated fact sheets in their areas of specialty for use by clients throughout the state. These fact sheets focus on clients' legal rights and possible remedies, and are available in all program offices throughout the state as well as in certain social service agency offices.

LSMB has begun holding regular pro se clinics. The next such clinic is scheduled for November 1998. LSNCA has received the support of members of the judiciary in Madison County and from the local bar association to conduct a pro se family law clinic. All three programs work with the Alabama Alternative Dispute Resolution Center located at the Alabama

State Bar which will provide pro bono attorney mediators for poor clients.

Although the programs work collaboratively to produce, update and distribute community education materials through the SATs, the programs have not made a concerted effort to work together on pro se materials. This lack of emphasis on self help materials is due in large part to our belief that the private bar, court clerks, and judges in Alabama have not yet fully embraced pro se representation as an acceptable means of increasing access to the court system. However, the use of alternative dispute resolution services such as mediation and arbitration throughout the private bar has greatly increased during the past three years. Advocates from all three programs will continue to work with Alabama State Bar committees and interested lawyers statewide to make pro se materials readily available to low income Alabamians.

**B. Goals to Strengthen and Expand Services to Clients.**

\* The three programs will work to place all community education materials on the Internet either through individual websites for each program, a joint website or through the Alabama State Bar website. (Project completion: one year, although this must be coordinated with the Alabama State Bar which could result in a longer time needed for implementation)

\* The three programs will work with the Alabama State Bar, the Administrative Office of Courts, the Circuit and District Court Clerks Association, and the Circuit and District Court Judges Association to increase understanding and acceptance of pro se representation in Alabama's courts. (Project completion: ongoing)

\* The three programs will continue to work with the Alabama Center for Alternative Dispute Resolution located in the Alabama State Bar to increase membership on its pro bono mediation and arbitration panels for low income citizens. (Project completion: ongoing subject to the schedule of the Alabama Center for Alternative Dispute Resolution)

**4. TRAINING AND ACCESS TO INFORMATION AND EXPERT ASSISTANCE**

**A. Strengths and Weaknesses to the Current Approach.**

The three programs in the state have worked with each other as well as other agencies and groups in our state to coordinate legal work, training, information and expert assistance for the benefit of low income clients in the state. Efforts in these areas have been quite helpful in maintaining and increasing quality of assistance to clients.

LSCA, LSMB and LSNCA have set up a procedure to provide joint training for staff members and selected private attorneys who provide assistance to Legal Services clients. SATs have been set up to cover several areas of case practice important to clients. The areas covered

are consumer, domestic relations/domestic violence, housing and public benefits. These SATs are composed of advocates from the three programs who review and discuss developments in their areas of their expertise, and make recommendations concerning trainings that are necessary to keep advocates updated in these vital areas. They also help plan trainings and provide most or all of the trainers for these events.

An LSCA staff member, the Support and Technology Coordinator, provides staff support for the SATs, and LSMB staff provide planning and support for all joint trainings. The training events are approved for continuing legal education credits by the Alabama State Bar. These trainings are also open to selected private attorneys who provide pro bono or reduced fee assistance to Legal Services clients. Joint trainings have already been provided in the areas of housing and consumer law, and a public benefits training will be given in November 1998 and a domestic relations/domestic violence training is planned for March 1999.

LSCA has provided training to private attorneys who agreed to assist flood victims in Elba, Alabama, in early spring and, most recently, worked again with the Alabama State Bar to train private attorney hotline volunteers who agreed to assist victims of recent Hurricane Georges. LSMB attorneys provided training to private attorneys volunteering assistance to victims of tornados which tore through Jefferson County earlier in the year. Services were also provided by staff to persons requesting help after these disasters.

The three programs cooperate fully with the VLP in providing training to private attorneys in poverty law. Private attorneys are encouraged during these training events to join the statewide or local VLP serving their areas. LSMB maintains a mentor panel of attorneys to assist staff members or other VLP attorneys in cases handled for Legal Services clients, and both LSCA and LSNCA cooperate fully whenever asked to co-counsel or provide information regarding a pro bono case accepted through the VLP. Each of the three Executive Directors presently serve on the Alabama State Bar Committee on Access to Legal Services which oversees the statewide VLP. This Committee is now undertaking a review of VLP activities in Alabama to improve and streamline the functioning of this program.

LSMB has started hosting pro se legal clinics to inform low income citizens of their rights and procedures to access the judicial system. Another such clinic is scheduled for November 1998. The clinics use staff advocates to present information to participants attending these clinics. LSNCA has also held such clinics and has worked with local judiciary to plan possible pro se family law clinics in the Huntsville/Madison County area.

Advocates from all three programs attend regional meetings of public benefits advocates



from the Southeast to review new developments and share experiences and approaches to respond to the many changes in this area that affect clients, and bring that information back to the programs and SAT members. The Executive Directors regularly attend the Southeast Project Directors meetings, a gathering of Legal Services programs from ten southeastern states, to receive the latest information regarding program operations and requirements and to learn of efforts undertaken by other programs and national groups to serve clients.

Advocates from the three programs attend national training events, as budgets permit, such as those sponsored by the National Legal Aid and Defender Association (NLADA) and the Nation Consumer Law Center, Inc., (NCLC) which cover such areas as consumer, housing and domestic relations, in order to maintain and improve advocates' knowledge and expertise in these areas. The Executive Directors attend national meetings sponsored by NLADA and the American Bar Association, as budgets permit, to obtain information about developments in substantive practice areas, administration of program, technology updates and pro bono recruitment/recognition/special projects.

Program advocates also attend a multitude of trainings provided by local bar associations, law schools and other groups. This assists advocates in maintaining knowledge in many substantive areas at small, or no, expense to the programs.

The SATs produce clients education handouts for use by the three programs in assisting individual clients and providing community education for clients and other community groups. Information received from other groups which is of interest to clients, such as state programs providing medical coverage for poor children, are obtained for use by SAT advocates, taken back to the remaining program staff, and disseminated to clients and other interested persons.

LSNCA has developed a client education video covering consumer law matters, which will be shared with LSCA and LSMB. Additionally, LSNCA is presently working with a local television station to produce a video on domestic abuse.

The consumer law SAT has recently completed a major updating of the three programs' "Consumer Law Manual," and has made that manual available to advocates in all three programs and to private attorneys as well for a small fee to cover reproduction expenses. A general poverty law practice manual has been developed with assistance from several Legal Services advocates by the VLP which is disseminated to VLP attorneys in Alabama as a further aid for them when assisting low income clients.

LSNCA has agreed to coordinate the production of the three programs' "Significant Legal Issues Review," which contains articles about current legal issues and case descriptions of important decisions affecting clients. Program advocates submit information to be placed in this document.

LSCA's Librarian, located in Montgomery, maintains and updates a centralized brief and pleadings bank for use by advocates of all three programs. Advocates also have access to legal research materials through such tools as WestLaw, Lexis, AlaLink (an electronic service that provides information on Alabama case decisions), the Alabama Law Weekly (a written weekly summary of law developments), diskette updates of the Alabama Administrative Code involving Medicaid rules and procedures, the statewide case information computerized database maintained by the Alabama Administrative Office of Courts, and many other legal materials. Additionally, helpful Internet sites for access to statutes, regulations and court decisions are communicated to advocates through SAT meetings, trainings and newsletters sent to all program advocates throughout the state. Some advocates are using sites which have directory information to locate addresses for defendants in domestic relations matters. Through these many resources, advocates are able to conduct research for specific cases and improve their knowledge in specific substantive legal areas, which assists them in providing high quality services to our clients.

**B. Goals to Strengthen and Expand Services to Clients.**

- \* All materials presently available to clients through program offices should be placed on a website for broader dissemination throughout Alabama. (Project completion: one year, although coordination with the Alabama State Bar staff may delay full implementation beyond this projected completion date)

- \* Additional client education videos should be produced and made available to clients and other community groups. (Project completion: 48 months)

- \* The three programs should explore additional ways to work with and share materials with the in-state law schools, such as through the Alabama Center for Law and Civic Education at Cumberland. (Project completion: 9 months)

**5. PRIVATE ATTORNEY INVOLVEMENT**

**A. Strengths and Weaknesses to the Current Approach.**

There are at present active pro bono volunteers in each of Alabama's 67 counties. These

private attorneys volunteer their services through either the Alabama State Bar Volunteer Lawyers Program (which covers 64 of Alabama's 67 counties), the Mobile County Bar Association Pro Bono Project, the Birmingham Bar Association Volunteer Lawyers Program, or the Madison County Bar Association Lawyer Referral Service. All three programs work closely with these pro bono projects by referring individuals for placement with pro bono attorneys, recruiting additional volunteer, producing training materials and forms for volunteers, and actually serving as speakers at CLE trainings put on by the pro bono projects. Program staff assisted with writing portions of a poverty law desk practice manual given free to pro bono attorneys by the Alabama State Bar Volunteer Lawyers Program. Additionally, the three directors serve as members of the Alabama State Bar Committee on Access to Legal Services which monitors the statewide pro bono project and assists the three local bar association projects.

Presently, a subcommittee of the Committee on Access to Legal Services is conducting a thorough review of the Alabama State Bar Volunteer Lawyers Program. The three directors sit on this subcommittee. A report will be presented to the Board of Bar Commissioners concerning changes to the project. Additionally, ways of increasing the number of volunteer attorneys and streamlining referrals to the projects from legal services programs are being investigated.

A portion of each of the three program's annual budget is devoted to assisting the pro bono projects within their service areas. Each program provides in-kind services through eligibility screening of potential pro bono referral clients. Additionally, LSCA reimburses the Mobile Bar Association for one-half of a secretary's salary for their pro bono project. The Birmingham Bar Association Volunteer Lawyers Program is located in the offices of LSMB, which provides this space and certain other overhead expenses free of charge to the project. LSNCA works closely with the Madison County Lawyer Referral Service, which requires that each private attorney who signs up for fee-generating case referrals must also handle a certain number of pro bono referrals.

LSCA and LSMB annually recruit attorneys to serve on reduced fee panels as part of their PAI programs. PAI attorneys are invited free of charge to attend all trainings produced by the programs.

**B. Goals to Strengthen and Expand Services to Clients.**

\* The three program directors and other staff serving on the Alabama State Bar Committee on Access to Legal Services will encourage the Committee to seek CLE credit for pro

bono activities through the CLE Commission. (Project completion: suggest at upcoming Committee meeting in early 1999)

\* The three programs will ask the Committee on Access to Legal Services to research and implement a plan to encourage pro bono participation by private attorneys practicing in rural counties. (Project completion: 9 months from date of Committee acceptance of project)

\* The programs will ask the Committee on Access to Legal Services to sponsor pro se legal clinics, hotlines and other innovative projects designed to increase delivery of services to the needy through the VLP. (Project completion: suggest these projects at an upcoming Committee meeting in early 1999)

\* The three programs will increase efforts to recognize the services of attorneys and firms which have made substantial contributions through PAI or pro bono service. (Project completion: ongoing)

## **6. Resource Development**

### **A. Strengths and Weaknesses of the Current System**

Each of Alabama's three programs are primarily funded by LSC dollars. In addition, each program receives funds from the Alabama Law Foundation through IOLTA grants. These funds are restricted by the Foundation for use in domestic abuse cases only. Additionally, LSNCA and LSMB have received Community Development Block Grant funds. LSCA presently is reimbursed for services provided to senior citizens in its Gadsden region by Title III, Older Americans Act funds, disbursed through an Area Agency on Aging, the East Alabama Regional Planning and Development Commission. Individual attorneys make donations to the three programs throughout the year and LSMB has received United Way funds. LSMB has also received some fund from the Cumberland Law School Clinical Program.

Simply stated, there are no "statewide" funds presently available in Alabama. The three programs routinely investigate local charitable and corporate foundations for potential funding. However, philanthropic organizations in this state do not regularly provide funding for legal services to the poor. Thus far, the response has been overwhelmingly negative to requests for "statewide" funding of the three programs' efforts from the few such organizations as exist in this state.

The three programs continue individual efforts to acquire other federal and state grant monies. LSCA and LSMB submitted grant proposal to the Department of Justice, Domestic Violence Victims' Civil Legal Assistance Grants. Additionally, the three programs have thus far

been unsuccessful in obtaining funding for domestic violence casework from the Alabama Department of Economic and Community Affairs, which disburses the federal VAWA and VOCA funds in Alabama.

All three programs will investigate funding from the national Welfare-to-Work funds for which Alabama became eligible in May 1998. LSCA hopes to receive HUD certification as a fair housing counselor so as to apply for HUD funding in 1999.

Although the three programs share information relating to any new possible source for funding, the most concerted effort has been directed toward convincing the previously mentioned Alabama State Bar Task Force on Legal Services Funding that legislative action is needed. The three Directors have reported on many occasions to State Bar Commissioners and other Bar committees on our need for statewide assistance through legislation for either a filing fee add-on in State Circuit and District Courts, or for a general appropriation for existing legal services programs. Hopefully, the Task Force will recommend that the State Bar sponsor such legislation in its upcoming report.

Additionally, in early 1998, the three programs consulted with The Fundraising Project in Atlanta about the feasibility of a statewide private Bar campaign for the programs. Their report concluded that such a campaign in Alabama could raise up to possibly \$300,000 per year for legal services. The three Directors have repeatedly suggested to appropriate State Bar officials and other State Bar committees that the State Bar endorse and conduct such a campaign, and it is hoped that the Task Force report will recommend this course to the Commissioners in its upcoming report.

The development of "statewide" resources is the single greatest problem now faced by the three programs in Alabama. We will continue to individually seek additional grant funds from other federal and state agencies and, when appropriate, submit joint grant proposals for statewide projects if such if required by government agencies or philanthropic corporate and charitable foundations. Funds from local religious groups, United Way agencies and other local charitable organizations will continue to be solicited by the individual programs, as such funds are given on a purely local basis.

#### **B. Goals to Strengthen and Expand Services to Clients**

\* The three programs will continue to work with the Alabama State Bar Task Force on Legal Services Funding to secure statewide financial resources for the programs, i.e., legislation for filing fee increases or general appropriations, and a statewide private bar campaign. (Project completion: ongoing, subject to the schedule of the Task Force and the Alabama State Bar staff)

\* The three programs will more actively seek grants for statewide activities, such as domestic abuse work, from Alabama-based philanthropic and corporate foundations. (Project completion: ongoing)

\* The three programs will investigate outside funding for the possible creation of a new position, housed either in LSCA or the Alabama State Bar if approved by that body, whose responsibilities will include coordinating ongoing statewide planning for civil legal services in Alabama and developing financial and other resources needed to make access to a full range of services a reality in Alabama. (Project completion: dependent on availability of funding and the recommendations of the State Bar Task Force)

\* The three programs will more actively seek to inform the private bar, the business community, and other non-Bar related community groups of the need for a full range of legal services for all Alabama citizens, regardless of their ability to pay for such services, by:

- publishing an annual report detailing the work of the three programs and emphasizing the unmet legal needs of low-income Alabamians. (Project completion: by year end 1999.)

- seeking a coalition of funding for an updated survey of unmet legal needs of the poor, as the last such statewide survey was completed in 1989. (Project completion: 6 months to organize interested parties in funding such a survey and then the schedule will depend upon the survey method and the professionals chosen to conduct the survey.)

- investigating hiring a public relations firm for the purpose of creating a statewide campaign to improve the image of legal services and get public Abuy in" to providing free legal services for Alabama' s poor. (Project completion: 6 months to investigate costs of such an effort and then implementation, if feasible, will depend on the firm selected and its time tables.)

## **7. Configuration of State Delivery System**

### **A. Strengths and Weaknesses of the Current System**

Three programs, primarily funded by LSC, presently serve the entire State of Alabama. Each of these program was founded at a different time, for somewhat different reasons, by different groups, for areas with different characteristics. While the formation of three separate entities to serve all 67 counties was perhaps the result of historical accident, the areas served by each program remain different in terms of history, population, geography, and demographics. Regional differences and rivalries tend to favor separate legal services programs serving different areas. For instance, the oldest Alabama program, LSNCA, has its central office in Huntsville, a high-tech, cosmopolitan center with the seventeenth highest per capita income in the nation and

the highest in the Southeast. Extreme income disparities and rapid growth create a distinct set of problems, while LSNCA's outlying areas retain a unique Appalachian character which is different from southern Alabama. The second oldest program, LSMB, has its offices in Birmingham, a heavily populated area with its own history, problems and achievements. Additionally, Birmingham is home to the largest number of private attorneys practicing anywhere in the state. LSCA, with its central office in Montgomery, was created to serve all remaining areas of the state, which includes many of the poorest counties in the entire Southeast, as well as population centers such as the State Capital of Montgomery, the seaport of Mobile, and Tuscaloosa, home to the University of Alabama, among others.

Since the 1970s, each program has established its own strong relationships with clients, local legal communities, and other local organizations providing assistance to low income Alabamians. Local Boards of Directors for LSNCA and LSMB (LSCA's Board contains attorneys appointed by the Alabama State Bar as well as client members from many locations throughout Alabama) are considered extremely valuable assets, especially since Alabama has few statewide resources to meet the growing needs of low income persons. Local connections also help identify priorities in different areas and assist in private attorney involvement. Lawyers in all three programs work jointly with the Alabama State Bar at the statewide level as well, and are active on most Bar committees and task forces.

Even before 1995 and up to the present, program directors and administrators have carefully explored whether there would be greater administrative efficiency and sharing of resources if the three programs were combined through consolidations or mergers. However, because each program's systems are operating efficiently and appropriately to each program's individual needs, it appears that there would be no savings in the administrative cost area through consolidation or merger. Moreover, disruption and inefficiency would likely result from combining the three different administrative structures, as well as upsetting relations with the existing political structures in different regions. Various policies, work priorities, operational customs, procedures, staffs, Board members, and local connections would have to be reworked and client services would suffer.

As has been shown throughout this Report, the three programs regularly exchange manuals, training information, bar relations materials, fundraising opportunities, fringe benefits information, financial systems, technology, and policies, as well as matters related to delivery of client services around the state. The three Executive Directors routinely regularly meet together at least every three months, and routinely speak to each other by telephone on a much more frequent basis. Further, program advocates are in almost constant touch with each other, either

through the SATs, by telephone, or by e-mail. As a result, litigation strategies on major issues are routinely coordinated among the three programs.

However, possibilities for combining certain administrative areas and technology purchases for savings based on economy of scale will continue to be explored and the programs can work together where savings and efficiency could be achieved. The discussion regarding the advantages and disadvantages to a reconfiguration will continually be discussed by the programs as funding possibilities develop, or as changes occur in the availability of other statewide legal resources for the provision of a full range of services to poor Alabamians.

#### **B. Goals to Strengthen and Expand Services to Clients**

The three LSC-funded programs in Alabama will continue to work closely together to better serve clients within our state. With a committed leadership at the State Bar level (hopefully) and ongoing efforts to educate the public on the need for free civil legal services, LSCA, LSMB and LSNCA will continue to cooperatively pursue statewide funding and secure local funding from local governments, United Ways, Area Agencies on Aging, CDBG, HUD, and other means directed to local communities.

The three programs will continue their collaborative efforts and exploration of statewide hotlines, improved referral systems, new pro se and self-help materials, and the possibility of an Internet website containing substantive legal information much of which is also available in other forms linked with state and local bar associations. In the meantime, through the SATs, Internet access, newsletters, shared practice manuals, brief banks and other library resources, joint training events, and a true statewide referral system between the programs, LSCA, LSMB and LSNCA will continue to coordinate an efficient and effective statewide delivery system for free civil legal services to low income citizens in each of Alabama's 67 counties.